

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-20081 Filed 8-13-96; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket 90-189; RM-6904, RM-7114, RM-7186, RM-7415, RM-7298]

Radio Broadcasting Services; Farmington, Grass Valley, Jackson, Linden, Placerville, and Fair Oaks, CA, Carson City and Sun Valley, NV

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document reallots Channel 234C from Carson City, Nevada, to Fair Oaks, California, as Channel 234B1. In doing so, it also modifies the license of Station KIZS, Channel 234C, Carson City, to specify operation on Channel 234B1 at Fair Oaks. This action also makes possible the allotment of Channel 233C2 to Sun Valley, Nevada. The reference coordinates for Channel 234B1 at Fair Oaks, California, are 38-40-22 and 121-19-47. The reference coordinates for Channel 233C2 at Sun Valley, Nevada, are 39-40-3 and 119-30-21.

EFFECTIVE DATE: August 29, 1996.

FOR FURTHER INFORMATION CONTACT: Robert Hayne, Mass Media Bureau, (202) 418-2177.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Second Report and Order* in MM Docket No. 90-189, adopted July 5, 1996, and released July 12, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 1919 M Street, NW., Room 246, or 2100 M Street, NW., Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Nevada, is amended by removing Carson City, Channel 234C.

3. Section 73.202(b), the Table of FM Allotments under Nevada, is amended by adding Sun Valley, Channel 233C2.

4. Section 73.202(b), the FM Table of Allotments under California, is amended by adding Fair Oaks, Channel 234B1.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-20646 Filed 8-13-96; 8:45 am]

BILLING CODE 6712-01-F

GENERAL SERVICES ADMINISTRATION

48 CFR Parts 506, 547 and 552

[APD 2800.12A, CHGE 72]

RIN 3090-AF97

General Services Administration Acquisition Regulation; Implementation of FAC 90-39 and Miscellaneous Changes

AGENCY: Office of Acquisition Policy, GSA.

ACTION: Correction to final regulation.

SUMMARY: This document corrects the effective date of final regulation (APD 2800.12A, CHGE 72), which was published Friday, July 26, 1996 (61 FR 39088). The regulation related to the approval levels for the justification of other than full and open competition in part 506 and made editorial changes in parts 547 and 552.

EFFECTIVE DATE: August 19, 1996.

FOR FURTHER INFORMATION CONTACT: Ed McAndrew, Office of GSA Acquisition Policy (202) 501-1224.

SUPPLEMENTARY INFORMATION:

Background

As published, the effective date of the regulation is incorrect.

Accordingly, the publication on July 26, 1996, of the final regulation (APD 2800.12A CHGE 72), which was the subject of FR Doc. 96-18987, is corrected as follows: On page 39088, second column, the effective date is corrected to read "EFFECTIVE DATE: August 19, 1996."

Dated: August 8, 1996.

Ida M. Ustad,

Deputy Associate Administrator for Acquisition Policy.

[FR Doc. 96-20670 Filed 8-13-96; 8:45 am]

BILLING CODE 6820-61-M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

49 CFR Part 1002

[STB Ex Parte No. 542]

Regulations Governing Fees for Services Performed in Connection With Licensing and Related Services—1996 Update

AGENCY: Surface Transportation Board.

ACTION: Final rules.

SUMMARY: In compliance with its fee update regulations, the Surface Transportation Board (Board) adopts its 1996 User Fee Update and revises its fee schedule at this time to recover the costs associated with providing services to the public.

EFFECTIVE DATE: September 16, 1996.

FOR FURTHER INFORMATION CONTACT: Kathleen M. King, (202) 927-5249 or David T. Groves, (202) 927-6395. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION: The Board's regulations in 49 CFR 1002.3 require the Board to update its user fee schedule annually. By notice of proposed rulemaking published on April 5, 1996, at 61 FR 15208, the Board requested comments on its 1996 proposed fee schedule. Upon reviewing the comments, the Board is adopting the proposed fee schedule with the following modifications: (1) Fee Item (27)—Trails use requests is established at \$150; (2) Fee Item (47)—National Railroad Passenger Corporation conveyance proceeding is established at \$150; (3) Fee Item (48)—National Railroad Passenger Corporation compensation proceeding is established at \$150; (4) Fee Item (56)(i)—Formal complaints filed under the coal rate guidelines is tentatively set at \$23,300, Fee Item (56)(ii)—All other formal complaints is tentatively set at \$2,300;¹ (5) Fee Item (58)(i)—A petition for declaratory order involving an existing rate or practice remains at \$1,000, and Fee Item (58)(ii)—All other petitions for declaratory order remains at \$1,400; (6) Fee Item (61)—Appeals to Board decisions and petitions to revoke an exemption is established at \$150; and (7) Fee Item (62)—Motor carrier undercharge proceeding is established at \$150. In addition, Fee Item (12)—Petition

¹ Fee items 56(i) and 56(ii) are currently the subject of legislative debate. Therefore, these items are being set tentatively, but will not take effect at this time. The Board will issue a further decision addressing these items after the legislative debate is concluded. In the meantime, they will remain at \$1,000 each in the Board's fee schedule.

for exemption involving construction of a rail line is modified so that the \$41,700 fee also applies to construction applications.

We note that in *Class Exemption For Acquisition or Operation of Rail Lines By Class III Rail Carriers Under 49 U.S.C. 10902*, STB Ex Parte No. 529, published in the Federal Register on June 24, 1996 at 61 FR 32355, the Board adopted Fee Item 36, Notice of exemption under 49 CFR 1150.41–1150.45, with a fee of \$950. To be consistent with the revisions that are being made to the fee schedule in this proceeding, that fee item will be renumbered as Fee Item 14(ii) and the fee item [proposed Fee Item 14(ii)] for petition for exemption under 49 U.S.C. 10502 relating to an exemption from the provisions of 49 U.S.C. 10902 will be renumbered as Fee Item 14(iii).

The Board also adopts the proposed modifications to update these regulations to reflect the recent enactment of the ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803.

The Board certifies that the fee changes adopted here will not have a significant economic impact on a substantial number of small entities because the modifications made in these rules and the Board's regulations in 49 CFR 1002.2(e) provide for waiver of filing fees for those entities which can make the required showing of financial hardship.

Additional information is contained in the Board's decision. To obtain a copy of the full decision, write, call, or pick up in person from DC News & Data, Inc., Room 2229, 1201 Constitution Ave. NW., Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

List of Subjects in 49 CFR Part 1002

Administrative practice and procedure, Common carriers, Freedom of information, User fees.

Decided: August 2, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,
Secretary.

For the reasons set forth in the preamble, title 49, chapter X, part 1002, of the Code of Federal Regulations is amended as follows:

PART 1002—FEES

1. The authority citation for part 1002 continues to read as follows:

Authority: 5 U.S.C. 552(a)(4)(A) and 553; 31 U.S.C. 9701 and 49 U.S.C. 721(a).

§ 1002.1 [Amended]

2. Section 1002.1 is amended as follows:

a. In the introductory paragraph remove the words "Interstate Commerce Commission" and add in their place the words "Surface Transportation Board".

b. In paragraph (e)(2) remove the word "Commission's" and add in its place the word "Board's"; remove the words "Section of Systems Development, Interstate Commerce Commission," and add in their place the words "System Services Branch, Surface Transportation Board,".

c. In paragraph (f)(11) remove the word "Commission's" and add in its place the word "Board's".

d. In the concluding text of paragraph (f)(14) remove the phrase "ICC's Freedom of Information Office, 12th and Constitution Avenue N.W. Room 3132, Washington, DC 20423." and add in their place the words "Surface Transportation Board's Freedom of Information Office, Washington, DC 20423.".

e. In paragraph (g) remove the words "Interstate Commerce Commission," and in their place add the words "Surface Transportation Board,".

f. In paragraph (h) remove the word "Commission's" and in its place add the word "Board's"; remove the words "Interstate Commerce Commission," and in their place add the words "Surface Transportation Board,".

g. Paragraphs (b), (e)(1) and the chart in paragraph (f)(6) are revised to read as follow:

§ 1002.1 Fees for records search, review, copying, certification, and related services.

* * * * *

(b) Service involved in examination of tariffs or schedules for preparation of certified copies of tariffs or schedules or extracts therefrom at the rate of \$24.00 per hour.

* * * * *

(e) * * *

(1) A fee of \$42.00 per hour for professional staff time will be charged when it is required to fulfill a request for ADP data.

* * * * *

(f) * * *

(6) * * *

Grade	Rate
GS-1	\$7.13
GS-2	7.76
GS-3	8.75
GS-4	9.82
GS-5	10.99
GS-6	12.25
GS-7	13.61
GS-8	15.07
GS-9	\$16.65

Grade	Rate
GS-10	18.33
GS-11	20.14
GS-12	24.14
GS-13	28.71
GS-14	33.93
GS-15 and over	39.91

* * * * *

§ 1002.2 [Amended]

3. Section 1002.2 is amended as follows:

a. In paragraph (a)(2) introductory text remove the word "Commission's" and add in its place the word "Board's".

b. In paragraph (a)(2)(ii) after the words "Debt Collection Act" add the words "of 1982", remove the word "Commission's" and add in its place the word "Board's".

c. In paragraph (a)(2)(iii) remove the words "room 1330, Interstate Commerce Commission, Washington, DC 20423:" and add in their place the words "Surface Transportation Board, Washington, DC:".

d. In paragraph (a)(3) remove the words "Interstate Commerce Commission" and add in their place the words "Surface Transportation Board".

e. In paragraphs (b), (c), and (d)(4) remove the word "Commission" wherever it appears and add in its place the word "Board".

f. In paragraph (e), the heading, remove the first "of" and add in its place the word "or". Also, in the introductory text, paragraphs (e)(2), (e)(2)(i), and in the heading of paragraph (e)(2)(iii) remove the word "Commission" and add in its place the word "Board".

g. In paragraphs (g)(1), (g)(1)(ii), (g)(1)(iii) and (g)(2) remove the word "Commission" wherever it appears and add in its place the word "Board".

h. In § 1002.2, paragraphs (a)(1), (d), and (f) are revised to read as follows:

§ 1002.2 Filing fees.

(a) *Manner of payment.* (1) Except as specified in this section, all filing fees will be payable at the time and place the application, petition, notice, tariff, contract summary, or other document is tendered for filing. The filing fee for tariffs, including schedules, and contracts summaries including supplements (Item 78) may be charged to tariff filing fee accounts established by the Board in accordance with paragraph (a)(2) of this section.

* * * * *

(d) *Related or consolidated proceedings.* (1) Separate fees need not be paid for related applications filed by the same applicant which would be the subject of one proceeding.

(2) A separate fee will be assessed for the filing of an application for temporary authority to operate a motor carrier of passengers as provided for in paragraph (f)(5) of this section regardless of whether such application

is related to a corresponding transfer proceeding as provided for in paragraph (f)(2) of this section.

(3) The Board may reject concurrently filed applications, petitions, notices, contracts, or other documents asserted

to be related and refund the filing fee if, in its judgment, they embrace two or more severable matters which should be the subject of separate proceedings.

* * * * *

(f) Schedule of filing fees.

Type of proceeding	Fee
Part I: Non-Rail Applications or Proceedings to Enter Upon a Particular Financial Transaction or Joint Arrangement:	
(1) An application for the pooling or division of traffic	\$2,400.
(2) An application involving the purchase, lease, consolidation, merger, or acquisition of control of a motor carrier of passengers under 49 U.S.C. 14303.	\$1,100.
(3) An application for approval of a non-rail rate association agreement. 49 U.S.C. 13706	\$15,400.
(4) An application for approval of an amendment to a non-rail rate association agreement:	
(i) Significant amendment	\$2,500.
(ii) Minor amendment	\$50.
(5) An application for temporary authority to operate a motor carrier of passengers. 49 U.S.C. 14303(i)	\$250.
(6)–(10) [Reserved]	
Part II: Rail Licensing Proceedings other than Abandonment or Discontinuance Proceedings:	
(11) (i) An application for a certificate authorizing the extension, acquisition, or operation of lines of railroad. 49 U.S.C. 10901.	\$4,000.
(ii) Notice of exemption under 49 CFR 1150.31–1150.35	\$1,000.
(iii) Petition for exemption under 49 U.S.C. 10502 (except petitions involving construction of a rail line)	\$7,000.
(12) An application or a petition for exemption under 49 U.S.C. 10502 involving the construction of a rail line	\$41,700.
(13) A Feeder Line Development Program application filed under 49 U.S.C. 10907(b)(1)(A)(i) or 10907(b)(1)(A)(ii)	\$2,600.
(14) (i) An application of a class II or class III carrier to acquire an extended or additional rail line under 49 U.S.C. 10902..	\$3,400
(ii) Notice of exemption under 49 CFR 1150.41–1150.45	\$950.
(iii) Petition for exemption under 49 U.S.C. 10502 relating to an exemption from the provisions of 49 U.S.C. 10902.	\$3,700.
(15) A notice of a modified certificate of public convenience and necessity under 49 CFR 1150.21–1150.24	\$950.
(16)–(20) [Reserved]	
Part III: Rail Abandonment or Discontinuance of Transportation Services Proceedings:	
(21) (i) An application for authority to abandon all or a portion of a line of railroad or discontinue operation thereof filed by a railroad (except applications filed by Consolidated Rail Corporation pursuant to the Northeast Rail Service Act [Subtitle E of Title XI of Pub. L. 97–35], bankrupt railroads, or exempt abandonments).	\$12,400.
(ii) Notice of an exempt abandonment or discontinuance under 49 CFR 1152.50	\$2,000.
(iii) A petition for exemption under 49 U.S.C. 10502	\$3,500.
(22) An application for authority to abandon all or a portion of a line of a railroad or operation thereof filed by Consolidated Rail Corporation pursuant to Northeast Rail Service Act.	\$250.
(23) Abandonments filed by bankrupt railroads	\$1,000.
(24) A request for waiver of filing requirements for abandonment application proceedings	\$1,000.
(25) An offer of financial assistance under 49 U.S.C. 10904 relating to the purchase of or subsidy for a rail line proposed for abandonment.	\$900.
(26) A request to set terms and conditions for the sale of or subsidy for a rail line proposed to be abandoned	\$12,700.
(27) A request for a trail use condition in an abandonment proceeding under 16 U.S.C. 1247(d)	\$150.
(28)–(35) [Reserved]	
Part IV: Rail Applications to Enter Upon a Particular Financial Transaction or Joint Arrangement:	
(36) An application for use of terminal facilities or other applications under 49 U.S.C. 11102	\$10,600.
(37) An application for the pooling or division of traffic. 49 U.S.C. 11322	\$5,700.
(38) An application for two or more carriers to consolidate or merge their properties or franchises (or a part thereof) into one corporation for ownership, management, and operation of the properties previously in separate ownership. 49 U.S.C. 11324:	
(i) Major transaction	\$830,500.
(ii) Significant transaction	\$166,100.
(iii) Minor transaction	\$3,400.
(iv) Notice of an exempt transaction under 49 CFR 1180.2(d)	\$950.
(v) Responsive application	\$3,400.
(vi) Petition for exemption under 49 U.S.C. 10502	\$5,200.
(39) An application of a non-carrier to acquire control of two or more carriers through ownership of stock or otherwise. 49 U.S.C. 11324:	
(i) Major transaction	\$830,500.
(ii) Significant transaction	\$166,100.
(iii) Minor transaction	\$3,400.
(iv) A notice of an exempt transaction under 49 CFR 1180.2(d)	\$750.
(v) Responsive application	\$3,400.
(vi) Petition for exemption under 49 U.S.C. 10502	\$5,200.
(40) An application to acquire trackage rights over, joint ownership in, or joint use of any railroad lines owned and operated by any other carrier and terminals incidental thereto. 49 U.S.C. 11324:	
(i) Major transaction	\$830,500.
(ii) Significant transaction	\$166,100.
(iii) Minor transaction	\$3,400.
(iv) Notice of an exempt transaction under 49 CFR 1180.2(d)	\$650.
(v) Responsive application	\$3,400.

Type of proceeding	Fee
(vi) Petition for exemption under 49 U.S.C. 10502	\$5,200.
(41) An application of a carrier or carriers to purchase, lease, or contract to operate the properties of another, or to acquire control of another by purchase of stock or otherwise. 49 U.S.C. 11324:	
(i) Major transaction	\$830,500.
(ii) Significant transaction	\$166,100.
(iii) Minor transaction	\$3,400.
(iv) Notice of an exempt transaction under 49 CFR 1180.2(d)	\$800.
(v) Responsive application	\$3,400.
(vi) Petition for exemption under 49 U.S.C. 10502	\$3,700.
(42) Notice of a joint project involving relocation of a rail line under 49 CFR 1180.2(d)(5)	\$1,300.
(43) An application for approval of a rail rate association agreement. 49 U.S.C. 10706	\$39,000.
(44) An application for approval of an amendment to a rail rate association agreement. 49 U.S.C. 10706:	
(i) Significant amendment	\$7,200.
(ii) Minor amendment	\$50.
(45) An application for authority to hold a position as officer or director under 49 U.S.C. 11328	\$400.
(46) A petition for exemption under 49 U.S.C. 10502 (other than a rulemaking) filed by rail carrier not otherwise covered.	\$4,400.
(47) National Railroad Passenger Corporation (Amtrak) conveyance proceeding under 45 U.S.C. 562	\$150.
(48) National Railroad Passenger Corporation (Amtrak) compensation proceeding under Section 402(a) of the Rail Passenger Service Act.	\$150.
(49)–(55) [Reserved]	
Part V: Formal Proceedings:	
(56) A formal complaint alleging unlawful rates or practices of rail carriers, motor carriers of passengers or motor carriers of household goods:	
(i) A formal complaint filed under the coal rate guidelines (Stand-Alone Cost Methodology) alleging unlawful rates and/or practices of rail carriers under 49 U.S.C. 10704(c)(1).	\$1,000.
(ii) All other formal complaints	\$1,000.
(57) A complaint seeking or a petition requesting institution of an investigation seeking the prescription or division of joint rates, or charges. 49 U.S.C. 10705.	\$4,900.
(58) A petition for declaratory order:	
(i) A petition for declaratory order involving a dispute over an existing rate or practice which is comparable to a complaint proceeding.	\$1,000.
(ii) All other petitions for declaratory order	\$1,400.
(59) An application for shipper antitrust immunity. 49 U.S.C. 10706(a)(5)(A)	\$3,900.
(60) Labor arbitration proceedings	\$7,600.
(61) Appeals to a Surface Transportation Board decision and petitions to revoke an exemption pursuant to 49 U.S.C. 10502(d).	\$150.
(62) Motor carrier undercharge proceedings	\$150.
(63)–(75) [Reserved]	
Part VI: Informal Proceedings:	
(76) An application for authority to establish released value rates or ratings for motor carriers and freight forwarders of household goods under 49 U.S.C. 14706.	\$650.
(77) An application for special permission for short notice or the waiver of other tariff publishing requirements	\$70.
(78) (i) The filing of tariffs, including supplements, or contract summaries	\$1 per page. (\$13 minimum charge).
(ii) Tariffs transmitted by fax	\$1 per page.
(79) Special docket applications from rail and water carriers:	
(i) Applications involving \$25,000 or less	\$40.
(ii) Applications involving over \$25,000	\$80.
(80) Informal complaint about rail rate applications	\$300.
(81) Tariff reconciliation petitions from motor common carriers:	
(i) Petitions involving \$25,000 or less	\$40.
(ii) Petitions involving over \$25,000	\$80.
(82) Request for a determination of the applicability or reasonableness of motor carrier rates under 49 U.S.C. 13710(a) (2) and (3).	\$100.
(83) Filing of documents for recordation. 49 U.S.C. 11301 and 49 CFR 1177.3(c)	\$22 per document.
(84) Informal opinions about rate applications (all modes)	\$100.
(85) A railroad accounting interpretation	\$600.
(86) An operational interpretation	\$800.
(87)–(95) [Reserved]	
Part VII: Services:	
(96) Messenger delivery of decision to a railroad carrier's Washington, DC, agent	\$17 per delivery.
(97) Request for service or pleading list for proceedings	\$13 per list.
(98) (i) Processing the paperwork related to a request for the Carload Waybill Sample to be used in a Surface Transportation Board or State proceeding that does not require a Federal Register notice.	\$150.
(ii) Processing the paperwork related to a request for Carload Waybill Sample to be used for reasons other than a Surface Transportation Board or State proceeding that requires a Federal Register notice.	\$350.
(99) (i) Application fee for the Surface Transportation Board's Practitioners' Exam	\$100.
(ii) Practitioners' Exam Information Package	\$25.
(100) Uniform Railroad Costing System (URCS) software and information:	
(i) Initial PC version URCS Phase III software program and manual	\$50.
(ii) Updated URCS PC version Phase III cost file, if computer disk provided by requestor	\$10.
(iii) Updated URCS PC version Phase III cost file, if computer disk provided by the Board	\$20.
(iv) Public requests for Source Codes to the PC version URCS Phase III	\$500.

Type of proceeding	Fee
(v) PC version or mainframe version URCS Phase II	\$400.
(vi) PC version or mainframe version Updated Phase II databases	\$50.
(vii) Public requests for Source Codes to PC version URCS Phase II	\$1,500.
(101) Carload Waybill Sample data on recordable compact disk (R-CD):	
(i) Requests for Public Use File on R-CD—First Year	\$450.
(ii) Requests for Public Use File on R-CD Each Additional Year	\$150.
(iii) Waybill—Surface Transportation Board or State proceedings on R-CD—First Year	\$650.
(iv) Waybill—Surface Transportation Board or State proceedings on R-CD—Second Year on same R-CD	\$450.
(v) Waybill—Surface Transportation Board of State proceeding on R-CD—Second Year on different R-CD	\$500.
(vi) User Guide for latest available Carload Waybill Sample	\$50.

§ 1002.3 [Amended]

4. Section § 1002.3 is amended as follows:

a. In paragraph (a) remove the word “Commission” and add in its place the word “Board”.

b. In paragraph (d)(1) remove the word “Commission” and add in its place the word “Board”; remove the

phrase “the Commission’s FY 1983–1984 User Fee Cost Study.” and add in its place the phrase “the cost study set forth in *Revision of Fees For Services*, 1 I.C.C.2d 60 (1984) or subsequent cost studies.”.

c. In paragraph (d)(3)(i) remove the words “and Bureaus” following the words “the Offices”.

d. In paragraph (d)(3)(ii) remove the word “Commission” wherever it appears and add in its place the word “Board”.

e. In paragraph (d)(4) add a period after the words “Federal Register” and remove the remainder of the sentence.

[FR Doc. 96–20647 Filed 8–13–96; 8:45 am]

BILLING CODE 4915–00–P